

REMARKS

Claims 13-15, 18, 20-22, 25, 27-29, 32 and 34-41 are presently pending.

Claims 13-15, 18, 20-22, 27-29, 32, 34, and 38-39 have been amended and Claims 19, 26, and 33 have been canceled. Support for the amendments to the claims is provided throughout the specification including paragraphs [0043]-[0045], [0073]-[0087], [0109] and [0113] and the corresponding figures. No new matter has been added. Applicant respectfully requests further examination on the merits in view of the amendments to the claims and the following remarks.

The 35 USC§103(a) Claim Rejections

Claims 13-15, 19-22, 26, 28-29, and 34-41 were rejected pursuant to 35 USC §103(a) as being obvious in view of the combination of US Patent No. 6,442,611 to Navarre et al. (hereinafter referred to as "Navarre") and US Patent Publication No. 2003/0135546 to Yoshioka (hereinafter referred to as "Yoshioka"), and further in view of US Patent No. 7,620,722 to Ruparel (hereinafter referred to as "Ruparel"). In addition, Claims 18, 25 and 32 were rejected as obvious pursuant to 35 USC §103(a) in view of Navarre as modified by Yoshioka, Ruparel, and US Patent No. 6,393,479 to Glommen et al. (hereinafter referred to as "Glommen").

Applicant has amended independent Claims 13, 20, and 27 and at least some of the claims dependent therefrom to clarify that which was previously claimed. The clarifying amendments to the presently pending claims render the present

rejections moot. For example, Claim 13 has been amended to describe that the second processing unit is further configured to decrease an amount of data in the relayed data communication in response to the communication request satisfying a first condition and a second condition, the first condition being that traffic in the network is heavier than the traffic threshold included in the regulation information stored in the second storage unit, and the second condition comprising the download source, indicated in the first identifier received in the communication request, being identical to the original source indicated in the second identifier included in the regulation information.

In another example, Claim 20 describes a processing unit configured to receive the communication request from the communication terminal and confirm a first condition and a second condition are satisfied, the first condition being that a level of traffic through the relay device exceeds the traffic threshold, and the second condition comprising the download source indicated with the first identifier received in the communication request being identical to the predetermined original provider indicated with the second identifier included in the stored regulation information. Claim 20 further describes that the processing unit is further configured, in response to the communication request satisfying the first condition and the second condition, to invoke a guideline for the data communication between the communication terminal and the server and relay the data communication in accordance with the regulation information stored in the first storage unit.

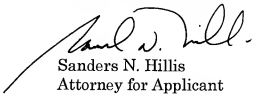
In still another example, the method of Claim 27 describes confirming with the relay device that a first condition and a second condition are satisfied, the first condition being that traffic in the network is heavier than the traffic threshold included in the stored regulation information, and the second condition comprising the download source indicated with the first identifier received in the communication request being identical to the original provider indicated with the second identifier included in the stored regulation information, and invoking a constraint of the data communication between the communication terminal and the server with the relay device, if the communication request satisfies the first condition and the second condition, the constraint of the data communication invoked by the relay device in accordance with the regulation information stored in the second storage unit.

Accordingly, the presently pending claims of this application are allowable and Applicant respectfully requests the Examiner to issue a Notice of Allowance for this application. Should the Examiner deem a telephone conference to be beneficial

in expediting allowance/examination of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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